

Setback in Secularization: Church and State Relations under the Duterte Administration

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Abstract

As he moves closer to half of his term as president of the Philippines, Rodrigo Roa Duterte has continually been in friction with the Catholic Church, specifically with certain members of its hierarchy. Mainly identifiable as the dividing line between Duterte's administration and the Church is the issue on human rights particularly the extrajudicial killings (EJK) of suspected users and pushers of illegal drugs. This paper argues that Duterte's attitude and positioning towards the Catholic Church neither strengthen nor advance the Philippine state towards a greater degree of secularization. On the contrary, the Church has become more politically and publicly involved. Consequently, it has remained a key actor or interest group providing an alternative moral discourse to that of the government.

Keywords: EJK, Roman Catholicism, secularization, secular morality, church-state relations

Perhaps second to illegal drugs, the Roman Catholic Church¹ is a severely criticized and attacked institution by President Rodrigo Duterte. The president has become an apparently relentless critic not only of the Catholic clergy but also of Catholicism's doctrines.²

A hermeneutic of the public's reaction to Duterte's speeches and actions would reveal not only an implicit approval of his antagonism but also an argument for the necessity of the same within the context of the separation of the Church and State. Without being theoretical about the matter, the supporters of the president are in a way working within the premise that because the state is secular, it is but proper that religion should mind its own business and refrain from meddling in affairs that are basically proper to politics.

In a way there is a social subconscious that the current administration has developed as a necessary anti-thesis to religion, particularly the Catholic Church, which has remained dominant, powerful and influential in the Philippine political landscape.

This paper argues that Duterte's attitude and positioning towards the Catholic Church neither strengthen nor advance the Philippines towards a greater degree of secularization. Contributing to this is his apparent disregard for human rights mainly through his view and remarks on extrajudicial killings (EJK). This has made the Church more politically and publicly

¹ In this paper, Roman Catholic Church is interchangeably used with Church. Conscious of the need for nuance in usage of terminologies when referring to specific political actors, Catholic Bishops' Conference of the Philippines or CBCP is used instead of Church. Philippine hierarchy or Philippine bishops are interchangeably used with CBCP.

² See Kristine Phillips, "Duterte's drug war killed thousands, and Filipinos still loved him. Then he called God 'stupid.'" Available online: https://www.washingtonpost.com/news/worldviews/wp/2018/07/19/dutertes-drug-war-killed-thousands-and-filipinos-still-loved-him-then-he-called-god-stupid/?utm_term=.52bf901c9b1f. Also, see Rie Takumi (GMA News), "Duterte attacking the credibility of the Catholic church — CBCP." Available online: <http://www.gmanetwork.com/news/news/nation/656933/duterte-attacking-the-credibility-of-the-catholic-church-cbcp/story/>.

involved. Consequently, it has remained a key actor or interest group providing an alternative moral discourse to that of the government.

Two major points are elaborated in this paper's discussion:

I. Duterte's ambivalent moral discourse has not strengthened the needed secular morality which should be the foundation of Philippine politics.

II. In light of this, dominant religious forces such as the Catholic Church remain to be a formidable interest group in politics.

Secularization: A Review

Charles Taylor in a discussion with Jurgen Habermas, Judith Butler, and Cornel West, points out that "democracies" have to be secular" and this "involve some kind of separation of church and state."³ Thus, "the state can't be officially linked to some religious confession [or institution]."⁴ More essentially, it also upholds, protects, and allows a plurality of faiths to thrive. If we may further elaborate Taylor's point, there can be no secular state without democratic pluralism, and there can be no democratic pluralism if there is totalitarianism, i.e. the dictatorship of one perspective or paradigm.

Although there are various types of applications of secularization, the concept of the secular (sometimes referred to in this essay as secularity) basically means freeing the public sphere from the dictates of religion, especially a religion or church that has a greater advantage of dominating the political and moral discourse. This should not be understood, however, as an attempt to antagonize religion. Philosophers and sociologists have examined more than enough, and their conclusions point to a common if not similar view: religion is always part of society

³ Charles Taylor, "Why We Need a Radical Definition of Secularism," in Judith Butler, Jurgen Habermas, Charles Taylor, and Cornel West, *The Power of Religion in the Public Sphere* (New York: Columbia University Press, 2011), 34.

⁴ *Ibid.*

despite the principle of the separation of the Church and state.⁵ Jose Casanova would prefer to understand secularization as the process of functional differentiation rather than the active effort to intentionally marginalize and thus make irrelevant all religions.⁶

Secular Morality: The Foundation of Democracy

Although a secular state should allow plurality of religions and ideas to thrive, it has an indispensable role to also provide citizens the most minimum basis for their choices regardless of religious orientations including the non-believers.⁷ For example, in a predominantly Catholic country like the Philippines, birth control was at some point heatedly debated. The Church has maintained the position that only natural family planning is morally acceptable. Some lawmakers⁸ however argued that not all people in the Philippines are Catholics and that even among Catholics there are those who would want to avail of government services should it provide artificial means of birth control.

Within the context of a secular democracy, the Philippine government should give weight to the fact that there is a plurality

⁵ See for example the debate between Cardinal Joseph Ratzinger who would eventually become Pope Benedict XVI and Jurgen Habermas in J. Habermas and J. Ratzinger, *The Dialectics of Secularization: On Reason and Religion* (San Francisco: Ignatius Press, 2005). Highlighting the role of religion in secular societies, Habermas cited the question of Ernst Wolfgang Bockenforde: Does the free, secularized state exist on the basis of normative presuppositions that it itself cannot guarantee (see p. 21)?

⁶ Jose Casanova, *Public Religions in the Modern World* (Chicago: University of Chicago Press, 1991), 12-15.

⁷ Rhoderick John S. Abellanosa, "Religious Freedom and Lawmaking in a Secular State: The Reproductive Health (RH) Bill Case," in Orlando Carvajal, L. Lanaria, R. Abellanosa and others, *A Conversation about Life: Points of View on Reproductive Health* (Quezon City: Claretian Publications, 2014), 73.

⁸ For example, Rep. Edcel Lagman's comments that based on periodic surveys 71% among Catholic favor the enactment of the RH Bill. See Carlos Santamaria, "Why Compromise on RH Bill? Lagman Explains." Available online: <https://www.rappler.com/nation/12021-why-a-compromise-rh-bill-lagman-explains>. Also see Sen. Miriam Defensor Santiago's position on the matter in Marilen J. Danguilan, *The RH Bill Story: Contentions and Compromises* (Quezon City: Ateneo de Manila University Press, 2018), 407-413.

rather than singularity of ideas. This means that, in the end, it could not, for it to be genuinely secular and democratic, forever follow the interest of the Church in the issue of birth control. But neither can the state, on the basis of secularity, deprive Catholics of their freedom to practice their belief should they wish to follow their Church's teaching. Thus, a Reproductive Health Law provides a minimum option in the public sphere. It is not an imposition by the state on the people on what they should follow according to their choice in the private realm of their lives.

As a secular entity, the state should be stable and grounded by moral principles that are not based on religious teachings nor inspired by any sectarian claim to divine revelation. When Carl Schmitt said that the concepts of the modern theory of the state are "secularized theological concepts" – he, in a way has provided emphasis, that no religion-based morality should be used or favored in the establishment of laws as well as their execution.⁹ This does not mean though that religions should be abolished, nor their freedoms be curtailed. Simply put, there is a transfer of sovereignty from God to the state.

It is thus important for the state to have a clear sense of secular morality, otherwise, in its absence or lack of clarity, people will go back to their religious morality. De Dios candidly observes this in the Philippine context

The real difficulty is not that the Church has suddenly become more insistent and militant: religious morality is, after all, what it is and what it has always been. The problem appears rather to be that the founts and wells of secular morality . . . have run dry. This has created a great vacuum that religious and other private moralities have

⁹ Here we may quote Schmitt in length: "All significant concept of the modern theory of the state are secularized theological concept not only because of their historical development – in which they were transferred from theology to the theory of the state, whereby, for example, the omnipotent God became the omnipotent lawgiver – but also because of their systematic structure, the recognition of which is necessary for a sociological consideration of these concepts." See C. Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty* (Chicago: Chicago University Press, 1985), p. 36.

now rushed to fill. The prominent political role of the religious today, for example, owes to the absence of secular organisations – the most important of which are platform-based political parties – that can command people’s allegiances and can hold the political establishment to account as a matter of routine (i.e., rather than as periodic cataclysms). The spectacle of nuns serving as human shields for a senate witness is testament to the deep mistrust of the secular law-enforcers and a deficit of faith in the impartiality of secular justice. The need to involve church parishes in a simple matter of distributing rice to the poor merely points up the lack of reliability of the government’s own systems.¹⁰

The moral foundations of political life are a concern and a project that should have developed and grown with the establishment of the secular state itself. The failure or the lack of appreciation for this is rooted in the idea that morality is basically a religious concern, and that the state should be neutral in matters of morality. This, of course, is apparently wrong.

So, if the state cannot base its judgments and rulings say on the Ten Commandments, then what should be the basis for any political or juridical position that involves ethical issues?

The Philippine Supreme Court decision *Estrada v. Escritor* explains:

The laws enacted become expressions of public morality. As Justice Holmes put it, (t)he law is the witness and deposit of our moral life. In a liberal democracy, the law reflects social morality over a period of time. Occasionally though, a disproportionate political influence might cause a law to be enacted at odds with public morality or legislature might fail to repeal laws embodying outdated traditional moral view. Law has also been defined

¹⁰ Emmanuel S. De Dios, “Secular Morality and the University” *UP School of Economics Discussion Papers*, no. 0805. Quezon City: University of the Philippines, Diliman, 10.

as something men create in their best moments to protect themselves in their worst moments. Even then, laws are subject to amendment or repeal just as judicial pronouncements are subject to modification and reversal to better reflect the public morals of a society at a given time.¹¹

In sum, democracy cannot be democracy if it is not secular, and vice-versa. A secular democratic state needs a moral foundation that is also secular in nature. Secular morality is thus the state's articulation of its own position on moral issues through legislation and policies. This is needed as the minimal basis for the decision-making of the citizenry.

I. Duterte's Ambivalent Moral Discourse and the Secular Morality in the Philippines

Kusaka contends that Duterte's moral discourse is hegemonic in that it constructs a "good we" versus an "evil others" view and attitude. At the core of his moral discourse is the emphasis on discipline, which accordingly is a shift from a moral discourse of "kindness to the poor."¹² This description of Duterte's moral perspective is, I believe, more of sociological rather than philosophical. Kusaka conceptualizes morality in the context of his study of Duterte, as the president's method and style of delineating his political convictions from those of his critics and detractors.

His criticism of the Church is actually a negation of the Church's discourse of compassion. For Duterte, this country will never improve if we will always be compassionate to criminals. This goes to show that for Duterte, ethical perspectives are ambivalent, and goodness does not have a standard definition.

¹¹ Supreme Court of the Philippines. 2003. "Estrada v. Escritor" in http://sc.judiciary.gov.ph/jurisprudence/2003/aug2003/am_p_02_1651.htm

¹² Wataru Kusaka, "Bandit Grabbed the State: Duterte's Moral Politics," in *Philippines Sociological Review*, 65: 52.

This sort of moral discourse however is not only an indication but also the reason for Duterte's ambivalence towards other moral issues. He has concentrated so much on the war on drugs such that his administration hasn't given priority to other issues that require the backing of an influential executive. Divorce, same-sex marriage, and gambling are recurring moral issues that cannot be put to rest until and unless the Philippine government would seal their fate through laws.

Even the reproductive health law is an unfinished project. And yet the current administration has not radicalized enough the implementation of the provisions of reproductive health. It is also ironic that although Duterte has expressed in public his support of the RH Law his views on women as well as his public remarks are very sexist and thus contrary to the spirit of the very law he claims to support.¹³

The Moral Deficit of Duterte

Practically, secular morality has not been completely solidified in the Philippines. Proof to this, and as will be elaborated later, is the sustained influence of religious norms and views in the public sphere. Precisely, it took several administrations before Duterte to assert and thus gradually shape and define secular morality. The Ramos administration for example has done this through its effort to promote artificial birth control.

When Benigno Aquino III was the president, the Philippine government, through legislation, has had gradually asserted the state's capacity to make political decisions without the influence of sectarian or religious principles and convictions. After years of battle with the Catholic Bishops' Conference of the Philippines

¹³ A concrete example of Duterte's sexist view and behavior was his remark during a speech in Amoranto Sports Complex in Quezon City. Then a presidential candidate, Duterte gave a rape joke in which he said: "That everyone had lined up to rape her. I got angry. That she was raped? Yes, that too. But it was that she was so beautiful – the mayor should have been the first. What a waste." For details on this see Nicole Curato, "The Early Duterte Presidency in the Philippines" in *Journal of Current Southeast Asian Affairs*, 35(3): 93.

(CBCP) the Philippine government finally put into law the Reproductive Health Bill.

It is not just a matter of insisting that there exists a separation of Church and state. More crucial is the conviction on the part of the state that it operates within its own moral frame, which need not be religious, one that gives a neutral blueprint for moral choices in the public sphere. In doing so, the State is telling religious groups that its non-alignment to their convictions is not a gesture of immorality. Simply, there is a different manner of proceeding in being moral.

In a democracy however, the state's secular morality has to be grounded on something that is also acceptable, not to say the least one that is reasonably acceptable. Basically, we are referring to the respect for human rights, and the defense of individual liberties.

If there is anything that would make the state score in its competitive power play with the Church and other churches, it is none other than the assertion that although its morality is not anchored in religious convictions, it promotes and defends the rights of humanity. These rights are afforded to all regardless of race, creed and gender. Unfortunately, this is a significant area that the Duterte administration obviously lacks. And it is basically the same reason why Duterte himself is to be blamed for weakening if not dissolving the secular morality of the Philippine State.

There are two main reasons that would support this claim. First, Duterte's notion of human rights basically evidences his apparent disregard for morality. Put more bluntly, Duterte's governance is not founded on any systematic moral perspective. This does not mean that he does not think of arriving at specific deliverables. He does, but there is no trace that the mode of operation of his governance is based on a specific concrete moral conviction. As will be elaborated later, his war on drugs which has been his rallying cry has relativized the state's moral foundation.

Secondly, Duterte's political style is characterized by relativism. This does not mean that Duterte is consciously espousing theoretical relativism. But practically speaking his views and approaches cannot be interpreted as one rational whole. If there is one essential hallmark of secular morality it is the avoidance of sliding to relativism.¹⁴ Adam Smith as cited in De Dios speaks in his *Theory of Moral Sentiments* of the difficulty of a "fatherless world" that is of living in a society "filled with nothing but endless misery and wretchedness."¹⁵

a) Human Rights

If there is any concrete proof that a non-religious person can maintain moral standards it is none other than his observance of the rights of others. Precisely, human rights are universal because they understood as universal indicators of shared human values. The respect for life, liberty, property, and above all the importance of due process are essential ingredients that comprise the non-religious "mores" of the state.

All laws revolve around human rights. Supreme Court decisions, and more so the very gesture of giving cognizance to a case presented before it function, operate, and make sense only because everyone understands that a process is important, and it is not just any formal process it is also one that looks into the reasonability of things, the accusations and the defense.

Basically, human rights are a constitutive element of a secular state and thus of its foundational secular morality. Human rights as a concept in fact define and characterize the human person as he is conceived from a non-religious, that is, secular point of view.

A review of its historical development would remind us that human rights evolved from the notion of the natural rights of man

¹⁴ Emmanuel S. De Dios, *Secular Morality and the University*, 2.

¹⁵ Adam Smith, *The Theory of Moral Sentiments* (Oxford: Oxford University Press, 1976), 235-236 as cited in Emmanuel S. De Dios' *Secular Morality and the University*.

which was essentially informed and grounded on natural law.¹⁶ Human rights are basically about affording everyone equal protection and fair treatment built on commonly shared human values.

By repeating again and again that at the center or core of his governance is the war on drugs, Duterte relocates the foundation of his governance from the very point where his legitimacy is located to another point where his existence as an agent of the sovereign would be believed to be justified by practical necessity rather than reason and morality. At the risk of oversimplification, the line of thinking is like this: Duterte has to do what he has to do because he needs to do it; we need Duterte.

In his 2018 State of the Nation Address (SONA), Rodrigo Duterte said these words:

Let me begin by putting it bluntly: the war against illegal drugs is far from over . . . This is why the illegal drugs war will not be sidelined. Instead, it will be as relentless and chilling, if you will, as on the day it began . . . And when illegal drug operations turn nasty and bloody, advocates of human rights lash at – and pillory – our law enforcers and this administration to no end.¹⁷

In defense of this statement, many supporters reiterate the very same argument since Duterte assumed office: the use of illegal drugs is a problem that must be stopped if not, at least, minimized. Such a claim is valid, however lacks qualification. The issue for the critics of Duterte is not his motive or intention but the manner by which he carries his plan. For Duterte, the war on drugs is an all-out war which necessarily requires the non-

¹⁶ Romuald Haule, in A. von Bogdandy and R. Wolfrum, eds., *Max Planck Yearbook of United Nations Law*, Volume 10: 390-392.

¹⁷ President Rodrigo Duterte, "SONA 2018." Available online: <https://www.rappler.com/nation/207989-rodrico-duterte-sona-2018-philippines-speech>.

observance and if needed the disrespect of human rights. To quote once more a portion of his SONA 2018:

“Sadly, I have yet to hear really howls of protest from the human rights advocates and church leaders against drug-lordism, drug dealing and drug pushing as forceful and vociferous as the ones directed against the alleged errant [law] enforcers in the fight against this social scourge.”

Apparently, the statement is not only a rhetorical blast against his critics. It is also a claim that by protesting against his war on drugs, the Commission on Human Rights and faith-based groups specifically some leaders of the Roman Catholic Church are supportive of drug lords, addicts, and pushers. Duterte has basically solidified a discourse that claims that the war on drugs can ultimately necessitate a practical disregard for human rights. Perhaps one of the most applauded lines in his most recent SONA was when he said: “[y]our concern is human rights, mine is human lives.”

It may appear that Duterte is confused between human rights and human lives. We may radicalize our interpretation however by saying that his dichotomy is actually an admission that he does not believe in any essential value of human rights apart from its pragmatic or utilitarian value. “In saying that he is more concerned with ‘life’ he seems to suggest that ‘rights’ are associated with criminals.”¹⁸ It is thus apparent that the president is truly convinced that “for this country to be peaceful and orderly, we have to sometimes violate rights and thus save lives. Worse: those who are concerned with human rights see less value in the lives of those who were killed.”¹⁹

The cost of the current administration’s crusade is high. Human Rights Watch has reported that since he assumed office, there has been an estimated 12,000 cases of deaths of suspected drug addicts. Most of the victims live in urban poor communities.

¹⁸ Abellanosa, Rhoderick John S. 2018, “Human Rights versus Human Lives” in Sunstar CDO, available online: <https://www.sunstar.com.ph/article/1754519>.

¹⁹ *Ibid.*

Moreover, the same report reveals that at least 2,555 of the killings were made by the Philippine National Police.²⁰

Supporters of the administration have argued that the deaths cannot be established with certitude as Duterte's liability. The PNP has also claimed that those who died were "*nanlaban*" (they fought back against the arresting officer). There are very obvious reasons however why such a defense is not plausible. First, the government has not done any serious investigation on the matter.²¹ In the very first place, it has continued its operations without any expression of concern for the problem. Secondly, Duterte's words are basically the evidences themselves. He has given blunt remarks that openly his position that drug addicts and all those involved in drugs are not entitled to human rights. In one occasion, for example, he remarked: "[i]f you are shot and I know you are a drug lord, I will run over you five times."²²

Citing Devlin, *Estrada v. Escritor* provides a philosophical basis for the irreplaceable role of human rights in the formation and solidification of a secular morality: "common morality is part of the bondage and the bondage is part of the price of society; and mankind, which needs society, must pay its price." The same Supreme Court decision, citing Oliver Wendell Holmes, explains further: "[t]he law is the witness and deposit of our moral life. In

²⁰ Human Rights Watch, "Philippine War on Drugs." Available online: <https://www.hrw.org/tag/philippines-war-drugs>.

²¹ Human rights experts from the United Nations (UN) no less, including Agnes Callamard, have asked the Philippine government to probe or investigate the killings in the country. Callamard together with Michael Frost and Diego Garcia – Sayan said: "[m]any of the killings appear to be perpetrated by law enforcement officials and by unknown assailants. This seems to indicate a climate of official, institutional impunity, which can only encourage further killings and other excessive use of lethal force by law enforcement personnel or those acting on their behalf or with their acquiescence." See Julliane Love De Jesus, "UN rights experts renew plea for Duterte gov't to probe EJKs in PH." Available online: <https://globalnation.inquirer.net/162754/philippines-united-nations-human-rights-experts-president-rodrigo-duterte-ejks-investigation-war-on-drugs>.

²² Reuters, "Philippines' Duterte says no 'justice' for families of drugs war casualties." Available online: <https://www.reuters.com/article/us-philippines-duterte-drugs/philippines-duterte-says-no-justice-for-families-of-drugs-war-casualties-idUSKBN1JFOAY>.

a liberal democracy, the law reflects social morality over a period of time.”

It is therefore a serious assault against the foundation of the state if the Head of Government himself does not believe in the *raison d'être* of laws. By disregarding human rights, Duterte slows down the ongoing formation and clarity of definition of secular morality, thereby making the Philippine state morally bankrupt and thus in one way or another a country eaten up by corruption in a more threatening way. Human rights violations, most especially that they are either sponsored or tolerated by the state, has pulled back the status of Philippine politics to a pre-democratic condition. While remaining democratic in form, Philippine politics lacks the various essential features of a democracy particularly in the area of social justice and human rights.

Analysts have already warned at the outset that Duterte is a president whose political lexicon does not include the words justice, freedom, and democracy.²³ Claudio and Abinales accurately describes Duterte’s *modus operandi*: individual [human] rights are “inconsequential compared to a national interest that equates with his own political victories.”²⁴ Duterte is a concrete example of a politician who justifies all means with the very end he has in mind or he so desires.

b) From Ambivalence to Relativism

It was mentioned earlier that although a secular state does not subscribe to any specific religious or sectarian morality, it is not, nonetheless, a case or situation of promoting relativism. The opposite, in fact, is the objective of secular morality: the strengthening of the state’s moral foundation in the face of religious, cultural, and partisan pluralism.

²³ Claudio, Lisandro E. and Patricio Abinales, “Dutertismo, Maoismo, Nasyonalismo” in Nicole Curato, ed. *A Duterte Reader: Critical Essays on Rodrigo Duterte’s Early Presidency* (Quezon City: Ateneo de Manila University Press, 2017), 94.

²⁴ *Ibid.*

There is all the more a reason why the state should, in the form of legislation and public policy, offer clear answers or responses to its citizens given that no particular religious conviction can be used as a basis in the resolution of moral or ethical questions specifically those that are subject to contestation and negotiation.

For example, it is becoming urgent and necessary to settle how the state would respond to the increasing demand for recognition of LGBT rights in the face of competing or contending moral perspectives. It is not the goal and the role of a secular state to “prescribe what autonomous individual ought to decide.”²⁵ Its role instead is to provide the availability of available options that citizens may freely accept or reject as private individuals.

It is within the framework of the foregoing discussion that Duterte’s governance is problematic. His views and approaches cannot be interpreted as one rational whole.²⁶ He has not facilitated, particularly in the area of law and policymaking, the advancement of concerns which if decided by the government would practically define and clarify the secularization of the state.

If assessed or evaluated in terms of moral ascendancy, Duterte’s administration and governance is a failure not really because he is a critic of the Catholic Church but because he has not presented, whether formally or at least through some indications, a systematic and consistent framework that would readily serve as a response to the still strongly contending moral perspective of the Catholic Church.

Apparently, the Duterte government is ambivalent, not to mention, confusing when it comes to policies and laws that require a clear moral resolve from the end of a secular state. In 2015, Maria Ressa made an analysis of Duterte’s contradictions. In her essay, she pointed out Duterte’s inconsistencies in six

²⁵ Emmanuel S. De Dios, *Secular Morality and the University*, 15.

²⁶ Maria Ressa (Rappler), “Duterte, his 6 contradictions and planned dictatorship.” Available online: <https://www.rappler.com/nation/politics/elections/2016/110679-duterte-contradictions-dictatorship>.

essential political points. Here we may mention some: he claims to be a leftist but he is a dictator, he appears to support women's rights but is a womanizer, and he claims to be a gay rights supporter but is actually very sexist.²⁷

II. Religious Discourse in a Secular State

The perceived political influence and strength of the Roman Catholic Church in the Philippines, specifically its religious leaders cannot just be attributed to its numbers and networks. The legal dismantling of its formal political control in after the revolution against Spain 1898 has remained unfinished.²⁸ Secularization cannot just be achieved through a constitutional declaration of the separation of Church and state. Precisely, the "secular" is not just a theory or a concept but a condition, and it must be a lived and practiced condition that requires concrete measures, habits of doing, attitudes and more importantly clear political values.

The Philippine state across administrations or presidencies has exerted various efforts to strengthen the secular character of the state. In certain situations, however, it has made negotiations and compromises with the Catholic Church. It is therefore an ongoing project that needs reinforcement through legislations,

²⁷ Ressa elaborates: "A known womanizer, Duterte has also funded and supports women's rights. A lead activist for gender equality, Irene Santiago, says he has done much to empower women in Davao. Santiago gained global prominence as a key organizer of the Beijing Women's Conference in 1995, personally thanked by Hillary Clinton on the main stage. Duterte supported the Reproductive Health (RH) Bill through the years it languished in Congress, pushing family planning and population control in his area of influence. In 2012, while Congress and the Church debated RH, Davao City was already giving out free contraceptives.

As regards his view on LGBT and sexuality related issues, here is what Ressa observed: "Although he openly admits he's a male chauvinist often shown in his sometimes sexist remarks, he put in place progressive policies, supporting and funding LGBT activists. He also supports gay marriage. These positions remain controversial in Asia's largest Catholic nation - roughly 85% Christian, most Roman Catholic. In the early years, it took courage to stand up to the Church, which lobbied hard against reproductive health and sex education. Outside the Vatican, the Philippines is the only other place where divorce is illegal" (Ibid.).

²⁸ Steven Shirley. *Guided by God, The Legacy of the Catholic Church in Philippines Politics* (Singapore: Marshall Cavendish Academic, 2004), 41.

court decisions, and above all the leadership of the president of the republic.

Sustained Deprivatization of Religion

Yet advancing secularization cannot be accomplished by merely antagonizing the Catholic Church although oftentimes such is necessary. The state is duty bound to provide a minimally acceptable set of principles in the form of policies and laws that would allow people to decide in the level of the public sphere without the dictates and interference of religious institutions and their moralities that are based on theological and thus privately acceptable ethical principles.

The state however cannot proceed in its promotion of secular morality in the political sphere if it is not even convinced by the logic and reason of its own legal foundations. A government, and in this case Duterte, which doubts the rationality of the very human rights that it is duty bound to defend – in no way strengthens the secular-moral ascendancy of the state. On the contrary, its perceived disrespect for rights as well as its practically relativist attitude towards important policy issues provides an opening for more criticisms and protests by religious forces most particularly the Roman Catholic Church which has remained a dominant interest group due to its role in Philippine political history.

Alternative Moral Discourse

The discourse of the Catholic hierarchy, for example, provides ample evidence that indeed a formidable religious group would become an alternative moral discourse albeit a contending block. On January 30, 2017, the Catholic Bishops' Conference of the Philippines criticized the Duterte administration for allegedly promoting if not supporting extra judicial killings. Citing Ezekiel 18:32, the Philippine bishops expressed deep concern over the many deaths and killings in the campaign against prohibited drugs.

It thus appeared that the Catholic bishops and the clergy have become the guardians of human rights whereas the state through the administration of Duterte ends up labeled as a human rights violator. Ironically, it is a private group and not the main agent of the public sphere which now stands on behalf of the Filipino people: “[w]e are one with many of our countrymen who want change, but change must be guided by truth and justice.”²⁹

An analysis of the discourse of the CBCP would reveal that the Catholic hierarchy hasn’t just put forward a pure faith-based critique of Duterte’s administration. Just as it did to previous presidents, the Philippine bishops crafted its arguments in a manner that isn’t just faith-based but also admissible and comprehensible in the public sphere. The CBCP therefore isn’t just arguing on the basis of faith but also reason.

To concretize, while it is asserted that “[t]he life of every person comes from God” and that “[n]ot even the government has a right to kill”, the Bill of Rights is also invoked: “[e]very person has a right to be presumed innocent until proven guilty.”³⁰ The Philippine hierarchy has made it a point that its critique of Duterte is not without basis, and that isn’t just based on plain religious or dogmatic conservatism. In fact, the CBCP has gone as far as linking the problem of drugs and criminality to the problem of poverty. Thus, the bishops argue that:

“[T]he step we have to take is to overcome poverty, especially through the giving of permanent work and sufficient wages to workers. Let us strengthen and carry forward the unity and love of the family members. Let us not allow any law that destroys the unity of families. We must also give priority to reforming rogue policemen and corrupt judges. The excessively slow adjudication of court cases is one big reason for the spread of criminality. Often it is the poor who suffer from this system. We also call upon

²⁹ Catholic Bishops’ Conference of the Philippines, “Pastoral Statement on Death and Killings” (2017). Available online: <https://www.veritas846.ph/cbcp-pastoral-letter-deaths-killings/>.

³⁰ 1987 Philippine Constitution, Bill of Rights (article III, section 1).

elected politicians to serve the common good of the people and not their own interests.”³¹

Relying on what has remained of its political capital, the leadership of the Catholic Church and its network of supporters – has once again come forward as an alternative source of morality for the Filipino nation to consider and follow. Recent Philippine political history would tell us that the Catholic Church’s defense of its participation in politics is the argument like a running thread across presidential administrations: it is the duty and obligation of the Church to speak on matters of morality. The 1986 EDSA revolution in which some members of the Philippine hierarchy played an important role was by far the biggest investment of the Church that has given it moral ascendancy to fight various forms of corruption and dictatorship. The Church through more or less the same actors within its own institution used the same ascendancy in 2001 that brought down former president Joseph Estrada from power.

Apparently, Duterte has been questioning the Church’s role in Philippine politics. He has discredited the Philippine bishops to the point of calling their God stupid. He has in fact cursed and blasphemed Catholicism to the highest level, perhaps with the objective of bringing down the Church’s credibility to its lowest level. By exposing their corruptions, Duterte is telling Filipinos that it is high time for politics to be left to politicians. In a way, he is saying that the Church cannot even handle its own mess, and there is no reason therefore why it should not remain silent on issues related to human rights and poverty.

Critiquing the Church: Style not Content

The Catholic Church is not new to criticisms. It has been accused a number of times for meddling in politics. Duterte’s criticism and attacks against the Church is not the first and apparently not the last. President Aquino for example criticized some Filipino bishops in front of Pope Francis during his papal visit in 2015, thus:

³¹ CBCP, *Pastoral Statement on Death and Killings* (2017).

“There was a true test of faith when many members of the Church, once advocates for the poor, the marginalized, and the helpless, suddenly became silent in the face of the previous administration’s abuses, which we are still trying to rectify to this very day.”³²

Aquino referred to the refusal of some bishops to call for the resignation of former president Gloria Arroyo after she was accused of electoral fraud in 2005. The accusation of siding with corruption against the bishops was aggravated by another scandal in 2011 in which certain bishops were said to receive Pajero (SUV) from Malacañang. The criticism against the clergy in front of Pope Francis thus continued:

“In contrast to their previous silence, some members of the clergy now seem to think that the way to be true to the faith means finding something to criticize, even to the extent that one prelate admonished me to do something about my hair, as if it were a mortal sin.”³³

The bigger picture of Aquino’s fight with some bishops was the opposition of the Philippine hierarchy to the Reproductive Health Bill, which his administration succeeded in legislating.

There is a good reason for pointing this out. In the discursive war between Duterte and the Roman Catholic Church, many have missed seeing the point that the bishops in particular have been, for many decades, at the forefront in the public sphere of contestation in Philippine politics. In fact, it would be unnecessary, to say the least an overreaction, for observers to be surprised with the bishops getting criticized or even insulted by Duterte or any politician for that matter.

A serious analysis of the current tension between Duterte and Church is also not an issue of the contradicting contents of their

³² Kristine Angeli Sabillo, “Aquino blasts admin, silent Church before Pope.” Available online: <https://newsinfo.inquirer.net/665179/aquino-blasts-past-administrations-silent-church-in-speech-after-meeting-pope#ixzz5ST7AtGEY>.

³³ *Ibid.*

discourses. There is really nothing new insofar as Catholic social teaching is concerned. The Church's agenda have remained the same: defense of human life, sexuality, marriage, and the common good – all of which are based on Natural Law and the principles of dignity of the human person, common good, solidarity, and subsidiarity.

Apparently, some members of the Roman Catholic hierarchy have not cowered despite Duterte's venomous attacks against the Church. Although not all bishops of the CBCP have openly spoken against the government, certain figures have stood out as consistent critics of the administration. Most known are Bishops Broderick Pabillo, Auxiliary Bishop of Manila and Pablo Virgilio David of Caloocan. Another critical voice in the CBCP is Archbishop Socrates Villegas of Lingayen-Dagupan who was the former president of the bishops' conference. *Oratio Imperata* (mandatory prayer to be recited in Masses) has also been separately issued in the Archdiocese of Cebu, Diocese of Dumaguete, and in the Archdiocese of Lingayen-Dagupan.

The explanation for this is no less Duterte's own blueprint of governance. His overemphasis on discipline that is in a way indicative of strongly fascist tendencies – has consequently disregarded the very spirit of Philippine democracy. Apart from democratic principles, no leader can cultivate or strengthen the unfinished project of secularization in the Philippines. Duterte may have lambasted the Church but the naked truth should be told that he is making a cult of his own, a state religion where he himself is god, in the words of Randy David: *Dutertismo*. He hates the bishops, their corruption and dictatorship, but in many ways he is nothing different. For this very reason, the Philippine state remains crippled without moving any closer to the principles of a secular state. Religion, thus, has remained not only relevant but for some, needed – in order to be saved from Duterte and his fascism.

Another good reason why we can say that there is a setback in secularization under the Duterte administration is the president's uneven treatment of religious groups. He attacks the Catholic bishops but has remained associated with Pastor Apollo Quiboloy

who founded a local cult in Davao. The president even admitted that he got donations from Quiboloy when he was mayor of Davao.³⁴ He has also appointed a senior minister of Iglesia ni Cristo to his cabinet. Sociologist Randy David's observation accurately describes Duterte's decision and choice, as "Short of actually establishing the INC as its official church, this administration makes no attempt to hide the fact that the Iglesia, which supported the President in the last elections, is its favored church."³⁵ All of this goes to show that Duterte's prejudices against the Church has something to do with plain power struggle.

Secularization is not about the marginalization of one religion especially the most dominant that poses threat to state control. More than this, the state should gradually, through its agencies, flex its authority through policies and laws, take the rudder and decide in the spirit of its own laws and democratic principles, on how to go about with the country's future direction.

Conclusion

The secularization of the Philippine state is an ongoing project that each administration must continually improve through lawmaking and policymaking. Duterte's criticisms of the Catholic Church may have given an impression that the current administration has asserted independence if not autonomy from sectarian influence. However, not even the harshest words against the clergy would successfully define in clearer terms the secular agenda of the state.

Secularization is built on the foundations of secular morality. Distinguished from religious morality that is founded on claims of Divine Revelation or religious traditions, secular morality is basically the articulation of the most minimum acceptable option, which citizens may choose in the public sphere.

³⁴ See Pia Ranada, "Duterte Admits Receiving Properties, Cars from Quiboloy." Available online: <https://www.rappler.com/nation/politics/elections/2016/131569-duterte-properties-cars-quiboloy-graft-corruption>.

³⁵ Randy David, "Appointing the INC Head as Special Envoy." Available online: <https://opinion.inquirer.net/111114/appointing-inc-head-special-envoy>.

Secular morality however presupposes the defense of human rights, something which is arguably a difficulty on the part of Duterte who himself is not totally convinced of doing. By overly focusing on the war on drugs, Duterte has failed to advance the much-needed clarification of the state's secular norms that should have long been concretized by previous administrations in the different legislative agenda and issues such as divorce, same-sex unions, women's rights, and reproductive health.

Because the state under the Duterte administration has failed in this regard, the Catholic Church and its brand of morality has remained a significant option, in fact the most systematic moral compass that practically serves as the standard norm.

In one way or another, therefore, Duterte has sustained the relevance of the Catholic Church in the public sphere, allowing it more reasons to participate and criticize the government. Until and unless the state would succeed in gradually defining the state's secular moral norms, the Church will always be there to offer itself through discourse in whatever available avenue in the public sphere of contestation.

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